THE HON'BLE Mr. JUSTICE GODA RAGHURAM

FRIDAY, THE 24th DAY OF FEBRUARY, 2006

W.P.No. 3537 of 2006

Between:-

T. Suguna

--Petitioner

And

The Joint Collector, Prakasam district, Ongole and two others.

--Respondents

THE HON'BLE MR. JUSTICE GODA RAGHURAM

W.P.No. 3537 of 2006

Oral order:-

Heard the learned counsel for the petitioner and the learned Government Pleader for Civil Supplies.

The authorization of the petitioner was cancelled by the 2nd respondent on 14-09-2004. She successfully appealed to the 1st respondent. The appeal was allowed by the order dated 30-09-2005 of the 1st respondent. Aggrieved thereby, the temporary dealer appointed on the petitioner's authorization having been cancelled, preferred a revision to the District Collector assailing the order dated 30-09-2005 of the 1st respondent. By the order dated 26-12-2005, the District Collector allowed the revision preferred by the temporary dealer. Assailing the order of the District Collector above, the petitioner instituted W.P.No. 189 of 2006. The said writ petition was allowed by this court by the judgment dated 05-01-2006. This court set aside the cancellation of authorization on the ground that the allegations were vague and general and directed the 3rd respondent to frame specific charges against the petitioner and consider the issue of continuance of her authorization in accordance with law.

Thereafter, the 2nd respondent issued a show cause notice on 19-01-2006 calling for the petitioner's explanation after framing charges, communicated by the

same order. The petitioner submitted her explanation on 13-02-2006 and by the impugned order dated 15-02-2006, the 2nd respondent cancelled the authorization. As against the order of cancellation, the petitioner preferred an appeal on 21-02-2006. Complaining that the 1st respondent has neither considered her appeal nor her application for interim relief, has filed this writ petition on 23-02-2006, well within forty eight (48) hours of instituting the appeal. The petitioner's complaint, in the chronology of facts adverted to above, that the 1st respondent has failed to consider her appeal or application for interim relief, is misconceived. At any rate, as the petitioner has preferred an appeal and has rushed to this court hurriedly, no case is made out for grant of relief in this writ petition. The writ petition is accordingly dismissed.

The 1st respondent shall consider and dispose of the petitioner's appeal dated 21-02-2006 or the application for the interim relief expeditiously. The 1st respondent shall consider and dispose of at least the application for interim relief within a period of two weeks from the date of receipt of a copy of this order. No costs.

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GODA RAGHURAM, J

Date: 24-02-2006

Pvks/*

Nb: Furnish c.c. in three days.

B/o pvks/*